

**East Bellevue Community Council**  
Summary Minutes of Regular Meeting

March 4, 2003  
6:30 PM

Lake Hills Community Clubhouse  
Bellevue, Washington

PRESENT: Chair Bell, Councilmembers Keeffe and Seal

ABSENT: Councilmembers Halgren and Wiechmann

STAFF: Steve Cohn, Senior Planner  
Drew Folsom, Associate Planner  
Jeff Herb, Development review Professional

**1. Call to Order**

The meeting of the East Bellevue Community Council was called to order at 6:30 PM with Chair Bell presiding. Chair Bell led the flag salute.

**2. Roll Call**

Roll was called by the Deputy City Clerk. All Councilmembers were present with the exception of Mr. Halgren and Mrs. Wiechmann. Both Councilmembers' absences were excused.

**3. Communications: Written and Oral**

Mr. Eder, 15422 SE 7<sup>th</sup> Place, stated that the ingress/egress problem at Cross of Christ Lutheran Church reported at Council's January meeting has been resolved.

Mr. Eder asked Council if there was some way to recognize Pam Ashiem and Bob Ashiem as good neighbors. He explained an incident some years back when his car had been burglarized. Recently, his car alarm went off due to a malfunction. Ms. Ashiem and her brother came over to see if he needed any help. Mr. Eder stated that such good neighbors should be recognized for their willingness to help another neighbor.

Mr. Keeffe suggested that Mr. Eder write a short letter to the Editor of the local newspaper drawing attention to the Asheims' neighborly act.

**4. Approval of Agenda**

Mr. Keeffe moved approval of the March 4, 2003 Community Council agenda. Mr. Seal seconded the motion.

Chair Bell called for agenda additions or modifications.

Mr. Keeffe requested the following additions:

- 10(a) Litigation
- (b) Qwest Building Discussion
- 11(a) Public Open House on March 6, 2003

Motion approving the March 4, 2003 agenda as amended carried with a vote of 3-0.

## **5. Public Hearings**

- (a) Ordinance 5433 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (chapter 36.70A RCW); adopting a 2003 amendment to the Comprehensive Plan glossary, amending the definition of General Commercial District to allow for expansion of retail uses serving business customers in the District and declaring the existence of an emergency affecting the economic viability of properties located within the District.

Steve Cohn, Department of Planning and Community Development, provided the staff report. He pointed out the current General Commercial areas within the City, noting the absence of GC in the East Bellevue Community Council area.

Ordinance 5433 was adopted by the City Council on January 21, 2003. Because comprehensive plan amendments are allowed only once a year, this Ordinance has been adopted under the emergency clause, identifying the current economic downturn and need to expand retail uses in GC with the expectation of reducing business vacancies.

In response to Mr. Keeffe, Mr. Cohn stated the Growth Management Act stipulates that the City Council can only act on comprehensive plan amendments once a year unless an emergency exists. This Ordinance declares the existence of such an emergency affecting the economic viability of properties located within the GC District, referring to the higher than normal business vacancy rates and current economic downturn.

Chair Bell opened the public hearing.

Mr. James Eder recalled his proposed Comprehensive Plan Amendment in 2001. He stated that, in actuality, the economic downturn began in 2000 and felt the guise of an emergency is unjustified.

Seeing no one further wishing to speak, Mr. Keeffe moved to close the public hearing. Mr. Seal seconded the motion which carried unanimously.

In response to Chair Bell, Mr. Cohn identified the tenants in the GC district at Lake Bellevue who want the allowed retail uses expanded. In addition, he stated that other people have raised concern over the higher than normal vacancy rates in GC districts.

Mr. Keeffe stated he would support adoption of Ordinance 5433 but strenuously objected to the phraseology "An economic emergency exists....which necessitates amendment of the Comprehensive Plan..." He stated he did not believe that an economic emergency for a businessman necessitates amendment to the Comprehensive Plan. Mr. Keeffe stated he would have been amenable to the use of the word "warrants" in place of "necessitates".

Responding to Mr. Seal, Mr. Cohn confirmed that the definition has been expanded to include all types of retail sales.

Mr. Keeffe moved approval of Resolution 454 adopting City Council Ordinance 5433. Mr. Seal seconded the motion which carried with a vote of 3-0.

- (b) Ordinance 5434 amending the Bellevue Land Use Code to allow a limited amount of apparel and accessory retail sales and miscellaneous retail sales in the General Commercial land use district; amending Sections 20.10.320 and 20.10.440 of the Bellevue Land Use Code.

Mr. Cohn provided the staff overview.

Chair Bell opened the public hearing.

Bill Serr, 1412 153<sup>rd</sup> Place SE, asked why clothing/apparel retail is so unique? In response, Mr. Cohn stated that in the 1970's a decision was made that restricted those types of sales from GC and attempted to focus such sales either downtown or in the Crossroads area. Since then, a lot of time has passed and people have rethought that decision, determining that the downtown and Crossroads areas no longer need that protection.

Seeing no one further wishing to speak, Mr. Seal moved to close the public hearing. Mr. Keeffe seconded the motion which carried unanimously.

In response to Chair Bell, Mr. Cohn explained the deletion of Note (18).

Chair Bell stated that, in the past year, the City has pushed through two changes to GC using the "emergency exists" loophole to accommodate perhaps two businesses. He stated, on one hand, he might laud the City Council for generating this kind of activity, but, on the other hand, in a year when the budget crunch is cutting down the amount of dollars available, it seems the City is spending a lot of money and effort to assist businesses that might or might not locate here. He noted another example, stating the recent changes to NB, adding administrative uses to accommodate the Pancake Coral.

Mr. Keeffe moved approval of Resolution 455 adopting City Council Ordinance 5434. Mr. Seal seconded the motion which carried with a vote of 3-0.

## **6. Resolutions**

- (a) Resolution No. 454 adopting City Council Ordinance 5433
- (b) Resolution No. 455 adopting City Council Ordinance 5434

Action approving Resolution Nos. 454 and 455 was taken following their respective public hearings.

## **7. Reports of City Council, Boards and Commissions**

### **8. Department Reports**

- (a) Bellevue Short Plat North, 14632 SE 22<sup>nd</sup>

Drew Folsom, Department of Planning and Community Development, gave a preliminary staff report. An application has been submitted by Sinclair Thimgan Homes for a 3 lot short subdivision. The property is comprised of a .67 acre lot, currently developed with a single family residence. The applicant has indicated that they will be retaining the existing home. Access to the short plat is proposed to be off SE 22<sup>nd</sup> Street. The property is zoned R-5 and is designated single-family/high density in the SE Bellevue Subarea Comprehensive Plan.

The City is requiring that the applicant retain the existing RVA (retained vegetation area).

In response to Mr. Keeffe, Mr. Folsom explained the depiction of the BSBL (building setback base line) on the plat map. He stated that from the City's standpoint, the 20 foot BSBL would come off of SE 22<sup>nd</sup>.

There was Council discussion with Mr. Folsom regarding the layout of the proposed short plat and required setbacks.

Mr. Keeffe asked why the proposal was before the Community Council if the depiction presented is not in a finished form. In response, Mr. Folsom stated the City's obligation to make the Community Council aware of the proposed short plat as well as the obligation to the property owners to schedule a community meeting as soon as possible. He explained that the short plat process is extremely long and this is a very preliminary look.

There was discussion regarding minimum allowed lot size.

Responding to Mr. Keeffe, Mr. Folsom stated the minimum lot size in R-5 is 7,200 square feet.

In response to Chair Bell, Mr. Folsom stated that, at a later date, if the property owners wished to alter their lots within the parameters of the Land Use Code, they could seek a

boundary line adjustment.

Mr. Keeffe stated his distress that R-5 will actually accommodate 6+ lots. He stated a reasonable man looking at the City's method would presume R-5 had meaning. But, in fact, it is meaningless and it is the same situation with every one of the single-family residential zonings. Mr. Keeffe stated he felt this methodology was a travesty and very sneaky way of doing business.

(b) Johnson Short Plat North, 435 140<sup>th</sup> NE (Drew Folsom, PCD)

Mr. Folsom reviewed the proposed application submitted by Steven Johnson for a 2 lot short subdivision. The property is comprised of a 1.22 acre lot, currently developed with a single-family residence just east of the Glendale golf course. The applicant has indicated that he will be retaining the existing residence. Access to the short plat is proposed to be off 140<sup>th</sup> Avenue NE via two private access easements: Sunset Lane and Glenridge Lane. The property is zoned R-2.5 and is designated single-family/medium density in the Wilburton/NE 8<sup>th</sup> Street Subarea Comprehensive Plan.

There was discussion regarding the history of the property.

In response to Mr. Keeffe, Mr. Herb, Bellevue Transportation Department, stated that, for a driveway that serves a single lot, a twelve foot width is all that is required. However, the Fire Department may require up to sixteen feet. He stated that for two lots with a joint-use driveway there would be a sixteen foot minimum width or wider if the Fire Department requires twenty feet.

(c) Johnson Short Plat South, 275 140<sup>th</sup> NE

Mr. Folsom provided the staff overview of the proposed application submitted by Steven Johnson for a two lot short subdivision. The property is comprised of a .62 acre lot, currently developed with a single-family residence just east of the Glendale golf course.

Mr. Johnson has indicated that he will be retaining and relocating the existing residence. Access to the short plat is proposed to be off 140<sup>th</sup> Avenue NE via a private access easement off Glenridge Lane. The property is zoned R-2.5 and is designated single-family/medium density.

Council reviewed the proposed plat map with Mr. Folsom identifying property lines and easements.

Bill Anspach who resides in the area of the proposed short plats stated the attitude of the surrounding neighbors is that the proposal makes sense.

Mr. Keeffe stated no objection to the proposal as long as the surrounding property owners were satisfied and there was no attempt to maximize on the number of lots.

## 9. Committee Reports

Mr. Seal reported on the Lake Hills Shopping Center's redevelopment activity. He stated that his subgroup of Lake Hills Shopping Center Discussion Group did very little to revise the Center's proposal with the exception of suggesting the number of residences located on top of the Shopping Center's office space be lowered from 104 to approximately 74 units. He noted the disadvantages of sale versus leasing the proposed condominiums.

Chair Bell announced that the Lake Hills Shopping Center Discussion Group would next meet on March 20, 2003. He identified the members of the Group, facilitator and staff support.

Mr. Seal reported that the hardware store at the Lake Hills Shopping Center would be closing at the end of the week.

## **10. Unfinished Business**

### **(a) Litigation**

Mr. Keeffe requested that the Community Council's litigation history spreadsheet be updated. There was general concurrence and the Clerk was directed to bring the litigation history up to date.

### **(b) Qwest Building**

Mr. Keeffe stated, in regards to the recent purchase of the Qwest Building, that this was a train headed down the track. He stated his skepticism of the upcoming pro-forma public meeting to discuss and provide public input as to the building's potential uses beyond public safety.

## **11. New Business**

### **(a) Open House**

Mr. Keeffe polled the Council as to their ability to attend the March 6, 2003 Open House to review the Cities of Bellevue's and Redmond's recommended projects for the Overlake area and along the 148<sup>th</sup> Avenue Corridor.

Chair Bell stated that it might be appropriate to request that Mr. Sindiong provided the Community Council with an update on the 148<sup>th</sup> Avenue Corridor Study at the April meeting. There was Council concurrence.

## **12. Continued Communications**

Chair Bell noted that the next Community Council Its Your City article is due April 4<sup>th</sup>. He offered to write the article on the Council's behalf and solicited subject topics.

Mr. Seal suggested the progress on the Lake Hills Shopping Center as a topic.

## **13. Executive Session None.**

**14. Approval Summary Minutes**

## (a) January 7, 2003 East Bellevue Community Council Summary Minutes

Mr. Keeffe moved approval of the January 7, 2003 East Bellevue Community Council Summary Minutes. Mr. Seal seconded the motion which carried with a vote of 3-0.

## (b) February 4, 2003 East Bellevue Community Council Summary Minutes

Mr. Seal moved approval of the February 4, 2003 East Bellevue Community Council Summary Minutes. Mr. Keeffe seconded the motion which carried with a vote of 3-0.

**15. Adjournment**

Mr. Keeffe moved that the East Bellevue Community Council meeting of March 4, 2003 be adjourned. Mr. Seal seconded the motion which carried with a vote of 3-0.

The East Bellevue Community Council meeting of March 4, 2003 adjourned at 8:37 PM.

Submitted by:

Michelle Murphy  
Deputy City Clerk